

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

VOLM COMPANIES, INCORPORATED, )  
et al., )

Plaintiffs, )

v. )

Case No. 4:22 CV 373 CDP

MARK' ANDY, INC., )

Defendant. )

**MEMORANDUM AND ORDER**

Upon review of defendant's Motion for Sanctions and to Show Cause (ECF 82, 83) and plaintiffs' Response thereto with submitted Declarations (ECF 85-88); and upon consideration of plaintiffs' reported supplemental production of documents in response to defendant's original and second requests for production, and the reported lack of conferring on such production, I have decided to cancel the hearing on defendant's motion that is presently set for July 26, 2023. I will order counsel to meet and confer on any remaining disputes raised in defendant's motion and to file a Joint Status Report either (1) informing the Court that the disputes are resolved or (2) setting out in detail the nature of any remaining disputes, with each side briefly stating its argument supporting its respective position. **Defendant shall not file a reply brief in support of its pending discovery motion;** I will accept the Joint Status Report in lieu of a reply brief.

Upon review of the Joint Status Report, I will decide whether a hearing on defendant's motion is necessary.

In the event a discovery dispute remains, the Joint Status Report shall contain a statement in accordance with Local Rule 3.04(A) reciting "the date, time, and manner" of counsel's conference(s) on the dispute "and the names of the individuals participating therein[.]"

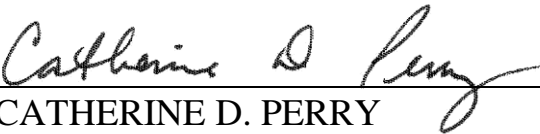
Because the pending dispute affects the expert deadlines set out in Section I.1(a) and (b) of the Second Amended Case Management Order, **those deadlines only** are held in abeyance pending further Order.

Accordingly,

**IT IS HEREBY ORDERED** that the hearing on defendant's Motion for Sanctions and to Show Cause, set for July 26, 2023, is **cancelled**.

**IT IS FURTHER ORDERED** that not later than **August 7, 2023**, counsel shall meet and confer and file a Joint Status Report that either (1) informs the Court that the pending discovery disputes are resolved or (2) sets out in detail the nature of any remaining disputes, with each side briefly stating its argument supporting its respective position. If discovery disputes remain, the Joint Status Report shall contain a statement in accordance with Local Rule 3.04(A) reciting "the date, time, and manner" of counsel's conference(s) on the disputes "and the names of the individuals participating therein[.]"

**IT IS FURTHER ORDERED** that the deadlines governing expert witnesses set out in Section I.1.(a) and (b) of the Second Amended Case Management Order are **held in abeyance** pending further Order.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of July, 2023.